

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

UNITED STATES OF AMERICA

v.

MARTIN A. CALDERON

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2:07-CV-0127

**ORDER ADOPTING REPORT AND RECOMMENDATION and
DENYING MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE**

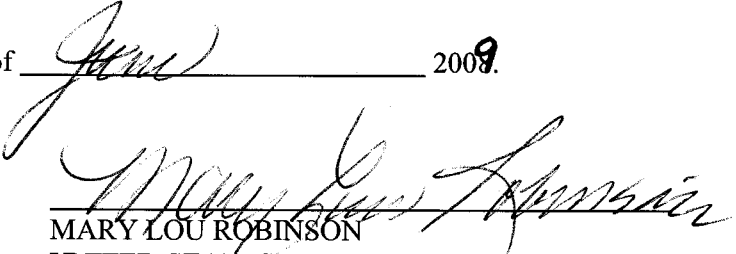
Petitioner has filed a motion to vacate, set aside or correct sentence by a person in federal custody. On October 1, 2007, a Report and Recommendation recommending the denial, in part, of defendant's motion was issued by the United States Magistrate Judge. An order overruling defendant's objections to the Report and Recommendation, adopting the Report and Recommendation, and denying the motion in part issued on October 18, 2007.

On May 15, 2009, the United States Magistrate Judge issued a Report and Recommendation recommending the denial of the remaining issues of defendant's motion. No objections to the Report and Recommendation have been filed of record as of this date.

The United States District Judge has made an independent examination of the record in this case and has examined the Report and Recommendation of the Magistrate Judge. The District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. It is the further ORDER of the Court that this motion to vacate, set aside or correct sentence is, in all things, DENIED.

IT IS SO ORDERED.

ENTERED this 10th day of June 2009.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE